

# Town of North Hempstead

## Chairman

David L. Mammina, R.A., A.I.A.

## Members

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030  
(516) 869-7667  
Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19929 - Shohreh Waxman (Owner)/Leonard Kurkowski (Applicant)**, variances 70-30.B, 70-100.2.H, and 70-208.F to maintain an enclosed porch and 2 A/C units within a required front yard; NW/cor. 2 Winfield Terr. & Bayside Dr., Great Neck, Sec. 2, Blk. 372, Lot 4, R-A District.

**WHEREAS**, an application (15-100120) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Leonard T. Kurkowski, R.A., dated December 22, 2014, and a survey prepared by Jerry Paul LaRue, L.L.S., dated March 5, 2013, **SUBJECT TO THE FOLLOWING CONDITION:**

*the property owner shall install and maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the air conditioning units from view from Bayside Drive and the adjoining property.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy

Seconded by: Member Aloe

Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead



## Chairman

David L. Mammìna, R.A., A.I.A.

## Members

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.

## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19930 – Jonathan Kaplan**, variance 70-100.1 to install a generator within a required front yard setback; SW/cor. 66 Ivy Way and Amherst Pl., Port Washington, Sec. 5, Blk. 72, Lot 250, R-A District.

**WHEREAS**, an application (15-100210) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED** of the dimension and in the location as shown on survey prepared by John Robert McWilliams, L.L.S., dated October 7, 2001, annotated by the applicant and received by the Board on January 9, 2015, **SUBJECT TO THE FOLLOWING CONDITION:**

*the property owner shall install and maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the generator from view from Ivy Way, Amherst Place, and the adjoining property.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe      Seconded by: Member Levine  
Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammìna

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## Chairman

David L. Mammina, R.A., A.I.A.

## Members

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19931 - Ingbritt Sholder Revocable Living Trust**, variance 70-100.2.H to maintain an A/C unit within a required side yard; N/side 9 Cypress Ave., 194.49' E/of Mackey Ave., Port Washington, Sec. 5, Blk. 93, Lot 155, R-C District.

**WHEREAS**, an application (14-111057) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; that at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Thomas Matarazzo, L.S., dated October 17, 2014, **SUBJECT TO THE FOLLOWING CONDITION:**

*the property owner shall install and maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the air conditioning unit from view from Cypress Avenue and the adjoining property.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine

Seconded by: Member Aloe

Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammina

  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## *Chairman*

David L. Mammina, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19934 - Milagros Orabona**, variance 70-100.2.A(4)(b) to maintain fencing beyond the front building line and exceeding the permitted height; SE/cor. 34 Fieldston St. and Grand Blvd., Westbury, Sec. 10, Blk. 230, Lot 41, R-C District.

**WHEREAS**, an application (14-111105) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Robert Friedel, L.S., dated June 13, 1957 and revised through February 25, 1958, annotated by the Applicant and received by the Board on December 26, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Francis                      Seconded by: Vice Chairman McCarthy  
Aye:            Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                  Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## *Chairman*

David L. Mammina, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19904 - Victor Garcia**, variance 70-100.2.A.2 to maintain fence forward of building line; NE/cor. #23 Herbert Ave. & Herbert Pl., Port Washington, Sec. 5, Blk. G, Lot 36, R-C District.

**WHEREAS**, an application (14-110253) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; therefore, at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Albert W. Tay, L.L.S., dated January 13, 2011, and on drawings prepared by Donald Alberto, R.A., dated February 8, 2012, **SUBJECT TO THE FOLLOWING CONDITIONS**:

1. That the property owner shall seek and obtain approval from the Town of North Hempstead Highway Department for the encroachment of the retaining wall on the Town right-of-way on Herbert Avenue;
2. That the applicant shall submit a Declaration and Waiver of Liability, recorded in the office of the Clerk of the County of Nassau, to the Office of the Town Attorney prior to the issuance of a Certificate of Completion by the Building Official;
3. That the property owner shall install and maintain evergreen plantings along the south side of the property, and install replacement plantings as necessary, to screen the chain link fence from the adjoining residential properties and the street; and
4. This variance extension shall expire six (6) months from the date of filing of this Notice of Decision unless the applicant shall have complied with conditions 1 and 2, above.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe

Seconded by: Member Francis

Aye:

Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

*Chairman*  
David L. Mammìna, R.A., A.I.A.



*Members*  
Donal McCarthy, Esq.  
Paul Aloe, Esq.  
Leslie Francis, Esq.  
David I. Levine, Esq.

## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030  
(516) 869-7667  
Fax (516) 869-7812

### NOTICE OF DECISION

**APPEAL #19840.A – Evergreen PW, LLC (Owner)/Robert Barbach (Applicant)**, variances 70-49.B and 70-103.A(1) to construct a single-family dwelling on a subdivided lot with insufficient off-street parking and exceeding the permitted floor area; S/W/cor. 20 Evergreen Ave. and Franklin Ave., Port Washington, Sec. 5, Blk. 81, Lot 19, R-C District.

**WHEREAS**, an application (14-107483) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED** with respect to the variance sought from §70-103.A(1), of the dimension and in the location as shown on drawings prepared by Robert G. Barbach, R.A., dated April 29, 2014 and revised through July 21, 2014, and **DENIED** with respect to the variance sought from §70-49.B.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe                      Seconded by: Vice Chairman McCarthy  
Aye:              Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                         Chairman Mammìna

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## *Chairman*

David L. Mammìna, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19840.B – Evergreen PW, LLC (Owner)/Robert Barbach (Applicant)**, variances 70-50.B, 70-100.2.D and 70-101.B to construct a single-family dwelling on a subdivided lot within a required front yard setback and a detached garage too close to the dwelling on the adjacent lot; S/W/cor. 20 Evergreen Ave. and Franklin Ave., Port Washington, Sec. 5, Blk. 81, Lot 19, R-C District.

**WHEREAS**, an application (14-107483) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings by Robert G. Barbach, R.A., dated April 29, 2014 and revised through August 18, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe      Seconded by: Vice Chairman McCarthy  
Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammìna

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## *Chairman*

David L. Mammina, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

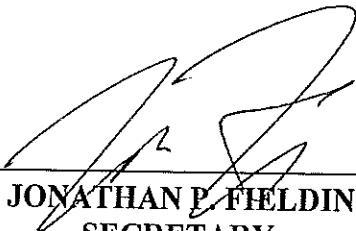
**APPEAL #19860 - Woodland Place Development, LLC (Owner)/Edward W. Dickman (Applicant)**, variances 70-26.A, 70-29.C, and 70-32.7 to construct a new dwelling exceeding the permitted height, eave height, and floor area; E/side Woodland Pl., 500' E/of Orchard Rd., Great Neck, Sec. 2, Blk. 354, Lot 157, R-A District.

**WHEREAS**, an application (14-108179) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Edward W. Dickman, R.A., dated August 2, 2013, revised through November 22, 2014 and received by the Board on February 2, 2015, showing a gross floor area of 4,530 square feet.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye:      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
            Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**



# Town of North Hempstead

## Chairman

David L. Mammina, R.A., A.I.A.

## Members

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19867 - James Wynn**, variance 70-100.2.A(2) to maintain fencing beyond the front building line; N/W/cor. 199 Brook St. and Railroad Ave., Westbury, Sec. 11, Blk. 41, Lot 66, R-C/New Cassel Overlay District.

**WHEREAS**, an application (14-108305) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED** of the dimension and in the location shown on a survey prepared by Frank S. Ferrantello, L.P.S., dated February 6, 2013, **SUBJECT TO THE FOLLOWING CONDITION:**

*the property owner shall install and maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the fencing from view from Brook Street and the adjoining property.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Francis                      Seconded by: Member Levine  
Aye:                      Member Levine, Member Francis, Vice Chairman McCarthy  
Absent:                      Member Aloe, Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

*Chairman*  
David L. Mammina, R.A., A.I.A.



*Members*  
Donal McCarthy, Esq.  
Paul Aloe, Esq.  
Leslie Francis, Esq.  
David I. Levine, Esq.

## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030  
(516) 869-7667  
Fax (516) 869-7812

### NOTICE OF DECISION

**APPEAL #19893 - Myank Shukla (Owner)/Victor Thomas, Architect, P.C. (Applicant),** variances 70-19.C and 70-20.C to construct additions to a dwelling exceeding the permitted floor area and within a required front yard; S/side #32 Schoolhouse Ln., 590.88' W/of Bunker Ln., Roslyn Heights, Sec. 9, Blk. 545, Lot 19, R-AA District. (1-7-15)

**WHEREAS**, an application (14-109270) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Victor Thomas, R.A., dated May 20, 2014 and revised through January 16, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine                      Seconded by: Member Francis  
Aye:                      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                                 Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## *Chairman*

David L. Mammìna, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

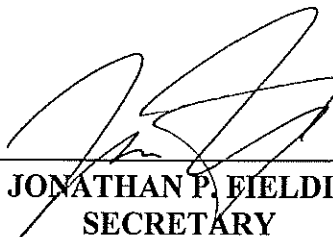
**APPEAL #19899 – 322-326 Main Street, LLC**, variances 70-146.B, 70-202.1.C, 70-203.G and 70-103.B to construct a mixed-use building in a required side yard and with insufficient parking stall size and landscaped buffer, and to construct a retaining wall exceeding the permitted height; S/side 322-326 Main Street, 209.32' W/of Jackson St., Port Washington, Sec. 5, Blk. 34, Lots 8, 9, 107 & 220, B-B District.

**WHEREAS**, an application (14-109711) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by John Edward Wehrum, III, P.E., dated May 7, 2014, and revised through September 26, 2014, and drawings prepared by Mark Samuel Schulman, R.A., dated August 12, 2014 and revised through October 12, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine                      Seconded by: Vice Chairman McCarthy  
Aye:                      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                                 Chairman Mammìna



**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

## *Chairman*

David L. Mammìna, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19920 – Kay 1 Realty**, variance 70-229.A to convert a dental laboratory to a pharmacy not in compliance with a prior decision (Appeal No. 12756); SW/corner #2226 Jericho Turnpike and Sixth Avenue, Garden City, Sec. 33, Blk. 124, Lot 2588, B-B District.

**Whereas**, an application (14-110403) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED** of the dimension and in the location shown on drawings prepared by Norman C. Lok, P.E., dated May 6, 2014 and revised through November 4, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye:      Member Levine, Member Francis, Vice Chairman McCarthy, Chairman  
            Mammìna  
Nay:      Member Aloe

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead

*Chairman*  
David L. Mammina, R.A., A.I.A.

*Members*  
Donal McCarthy, Esq.  
Paul Aloe, Esq.  
Leslie Francis, Esq.  
David I. Levine, Esq.



## Board of Zoning Appeals

210 Plandome Road  
Manhasset, NY 11030  
(516) 869-7667  
Fax (516) 869-7812

### NOTICE OF DECISION

**APPEAL #19890 - Scott Shafranek**, variances 70-29.B and 70-208.F to construct additions to a nonconforming dwelling exceeding the permitted floor area; SE/cor. #12 Orchard Farm Rd. & St. John Pl., Port Washington, Sec. 6, Blk. 23, Lot 24, R-A District.

**Whereas**, an application (14-109220) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED** of the dimension and in the location shown on drawings prepared by Donald Eliot Sclare, R.A., dated April 17, 2014 and revised through July 8, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe      Seconded by: Member Levine  
Aye: Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammina

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

# Town of North Hempstead



## *Chairman*

David L. Mammina, R.A., A.I.A.

## *Members*

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.

## Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

## NOTICE OF DECISION

**APPEAL #19634 - Nassau Land Developers, LLC**, variance 70-47.1.D to subdivide a parcel creating two lots with insufficient lot width; N/W/Cor. 545 Whittier St. and Longfellow Ave., Westbury, Sec. 10, Blk. 64, Lot 5138, R-C District.

**WHEREAS**, an application (13-109348) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **FEBRUARY 11, 2015**, the appeal in the above entitled matter was decided as follows:

**DENIED.**

## SEE ATTACHED FINDINGS OF FACT

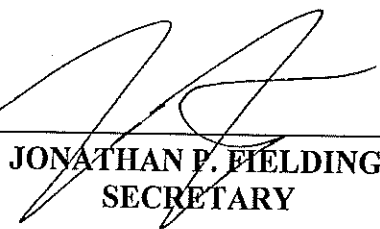
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine

Seconded by: Vice Chairman McCarthy

Aye: Member Levine, Member Francis, Vice Chairman McCarthy, Chairman Mammina

Absent: Member Aloe.



**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**